

Dept. Use Only
ID Number _____
License Number _____

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

**Competitive Supplier and Electricity Broker License Application
Pursuant to 220 C.M.R. § 11.00 et seq.**

Please submit an original, two copies, and a copy on diskette formatted for WordPerfect or Microsoft Word. Please type or print:

1. Legal Name of Applicant:

Doing Business As (DBA): _____

Applying for: (Check Only One)

Competitive Supplier License Electricity Broker License

2. Business Address: _____

3. If a corporation, association, or partnership:

(a) organized under the laws of which state: _____

(b) date of organization: _____

(c) Please attach a copy of the articles of incorporation, association, partnership agreement, or other document regarding legal organization.¹

(d) Please attach a copy of the by-laws.

4. Name, Title and Business Address of all Officers and Directors, Partners, or other similar Officials:

5. A statement (with appropriate citation to corporate articles or by-laws or other operative documents) that acting as a Competitive Supplier or Electricity Broker is not an *ultra vires* purpose (beyond the scope) of the entity:

6. A summary of any history of bankruptcy, dissolution, merger or acquisition of the entity in the two calendar years immediately preceding application:

7. Name, Title and Toll-Free Telephone Number of Customer Service Contact Person:

8. Name, Title, and Telephone Number of Regulatory Contact Person:

Fax and Internet Address (Optional)

9. Name and address of Resident Agent for Service of Process:

10. Provide a clear and concise description of the specific services that are to be provided by the applicant. Include the types of customers to be served and geographic area in which services are to be provided.

11. Provide a statement that the applicant will comply with the information disclosure regulations promulgated by the Department.

12. Provide the following general business information regarding the applicant:

- a description of the corporate structure of applicant (e.g., identification of parent company, affiliates, owners);
- number of staff employed by applicant;
- number of staff employed by applicant that are involved in its energy-related activities;
- a description of the services that applicant has provided since the company was formed.

13. Provide the following information in support of the applicant's technical ability to provide competitive supplier or electricity broker services, as appropriate.

- resumes or biographies of key staff persons involved in applicant's energy-related activities;
- description of energy-related activities in which applicant is involved in other states, and documentation of energy-related licenses the applicant has been issued on other states.

For competitive suppliers only

- documentation that the applicant is a NEPOOL participant or will meet its transaction requirements through a contractual arrangement with a NEPOOL participant.

For electricity brokers only

- list of competitive suppliers with which applicant expects to do business in Massachusetts.

14. Provide evidence of financial capability (such as the level of capitalization or corporate parent backing) to provide proposed services.

15. Provide documentation of valid purchase power contracts between the applicant, its affiliates, its parent or subsidiary, and any electric company formed pursuant to the provisions of G.L. c.164 including documentation that such contracts are currently subject to renegotiation pursuant to the provisions St. 1997, c. 164, § 193 (G.L. c. 164, § 1(G)(d)(2)).

16. Provide evidence of applicant's attendance at a training session sponsored by the Massachusetts distribution companies, as set forth in the Electronic Business Transaction Standards Working Group Report, as amended from time to time, on file with the Department.

17. Provide a sample Bill if, as a Competitive Supplier, the applicant plans to bill Retail Customers in accordance with the passthrough billing option, as set forth in 220 CMR 11.04(10)(c).

18. Provide a statement whether any director, officer, or other similar official has been convicted of a felony or held liable for any antitrust violation as described in 220 CMR 11.05(2)(b)(17).

19. Provide adequate documentation establishing that the signatories to this application are authorized so to act on behalf of the applicant in filing this application (for example, in the case of a corporate applicant, a vote of the board of directors authorizing the signatories to bind the corporation).

DECLARATION

We, _____ and

(print name and title) (print name and title)

declare that I have personally reviewed the above statements and that they are true and correct and complete in all material respects. We further declare that the information contained in this application was prepared and compiled under our supervision and control. We further declare that we are authorized by the applicant to file this application on its behalf. We acknowledge that we have a positive duty to ascertain the accuracy and completeness of this application and that we sign this declaration under personal pains and penalties of perjury, including, but not limited to, those provided by G.L. c. 268, § 6.

Dated this _____ day of _____ 19____ at _____.

(day) (month) (year) (place of execution)

Signature: _____

Title:

Signature: _____

Title:

NOTARIZATION:

Notarial Seal

Date of Form: October 27, 1998